

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

JENNIFER VANDERSTOK;  
MICHAEL G. ANDREN;  
TACTICAL MACHINING, LLC, a limited  
liability company; and  
FIREARMS POLICY COALITION, INC., a  
nonprofit corporation,

*Plaintiffs,*

and

BLACKHAWK MANUFACTURING GROUP  
INC. d/b/a 80 PERCENT ARMS,

*Applicant in Intervention,*

v.

MERRICK GARLAND, in his official capacity  
as Attorney General of the United States;  
UNITED STATES DEPARTMENT OF  
JUSTICE; STEVEN DETTELBAACH, in his  
official capacity as Director of the Bureau of  
Alcohol, Tobacco, Firearms and Explosives; and  
BUREAU OF ALCOHOL, TOBACCO,  
FIREARMS AND EXPLOSIVES,

*Defendants.*

Civil Action No. 4:22-cv-691-O

**BLACKHAWK MANUFACTURING GROUP INC. d/b/a 80 PERCENT ARMS’  
MOTION TO INTERVENE**

BlackHawk Manufacturing Group Inc. d/b/a 80 Percent Arms (“BlackHawk”) hereby moves pursuant to Rule 24 of the Federal Rules of Civil Procedure to intervene as

a plaintiff in the above-captioned action for the purposes of challenging the constitutionality of both the Final Rule and Defendants' adoption of the Final Rule.

Specifically, BlackHawk moves to intervene as a matter of right. BlackHawk has timely filed this Motion; it has an interest relating to this action; if not allowed to intervene, its interest would be impaired by this action; and its interest is not adequately represented by the existing parties to this action. Alternatively, BlackHawk asks this Court to exercise its discretion and allow BlackHawk to permissively intervene, as its claims and this action have questions of law in common that are directly related to the underlying controversy. Furthermore, permissive intervention will not unduly delay or prejudice the adjudication of the rights of parties to this lawsuit.

The strong basis for this Motion is further demonstrated by BlackHawk's Proposed Complaint and Proposed Motion for Preliminary Injunction and Brief in Support filed concurrently with this Motion.

For the reasons stated in its Brief in Support of this Motion to Intervene, filed concurrently with this Motion, BlackHawk respectfully requests that this Court grant this Motion.

Respectfully Submitted,

/s/ Brian D. Poe

BRIAN D. POE

TX Bar No. 24056908

BRIAN D. POE, ATTORNEY AT LAW PLLC

The Bryce Building

909 Throckmorton Street

Fort Worth, Texas 76102

Phone: (817) 870-2022

Fax: (817) 977-6501  
bpoe@bpoelaw.com

Michael J. Sullivan  
MA Bar No. 487210  
*Pro Hac Vice Forthcoming*  
J. Christopher Amrhein, Jr.  
MA Bar No. 703170  
*Pro Hac Vice Forthcoming*  
Nathan P. Brennan  
MN Bar No. 389954  
*Pro Hac Vice Forthcoming*  
ASHCROFT LAW FIRM LLC  
200 State Street, 7th Floor  
Boston, MA 02109  
Phone: (617) 573-9400  
Fax: (617) 933-7607  
msullivan@ashcroftlawfirm.com  
camrhein@ashcroftlawfirm.com  
nbrennan@ashcroftlawfirm.com

*Counsel for proposed Intervenor-Plaintiff*  
*BlackHawk Manufacturing Group Inc. d/b/a 80*  
*Percent Arms*

**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1**

Undersigned counsel certifies that counsel for the moving party conferred with counsel for Plaintiffs and Defendants prior to filing this Motion. On September 22, 2022, Martin M. Tomlinson, counsel for the Government, told counsel for the moving party that the Government does not believe the requirements to intervene have been satisfied and oppose this Motion. On September 22, 2022, Cody J. Wisniewski, counsel for Plaintiffs, told counsel for the moving party that Plaintiffs take no position as to this Motion.

/s/ Brian D. Poe  
BRIAN D. POE

**CERTIFICATE OF SERVICE**

I certify that on September 22, 2022, the foregoing document was served, via the Court's CM/ECF Document Filing System, upon the registered CM/ECF users in this action.

/s/ Brian D. Poe  
BRIAN D. POE